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Docket No.: 11220/128

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Danenberg, Kathleen

Serial No.: 09/842,111

Filing Date: April 26, 2001

Art Unit: 1637

Examiner: Jeffrey Fredman

For: METHOD OF DETERMINING  
DIHYDROPYRIMIDINE  
DEHYDROGENASE GENE EXPRESSION

*Do not Em  
1/1/03*

Assistant Commissioner for Patents  
Washington D.C. 20231

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JAN 24 2003  
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JAN 27 2003  
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**RESPONSE AND AMENDMENT**

MADAME:

This is in response to the Office Action from the United States Patent and Trademark Office mailed December 4, 2002. Accordingly, a response is due on or before March 4, 2003. Entry of the Foregoing Amendments and Reconsideration of the subject application is respectfully requested.

Please amend the claims as follows:

6. (Twice Amended) A method of determining the relative level of *Dihydropyrimidine dehydrogenase (DPD)* gene expression in a tissue sample comprising:

- (a) obtaining a tumor sample from a patient;
- (b) isolating mRNA from said tumor sample;
- (c) determining the amount of *Dihydropyrimidine dehydrogenase (DPD)* mRNA by amplifying the mRNA using an oligonucleotide primer having the sequence of SEQ ID: 1, or an oligonucleotide primer at least 80% identical therewith and